

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of:	)	Docket No. 30900-CNT2
	)	
HORNACK, et al.	)	Art Unit: 1651
	)	
Serial No.: 10/679,535	)	Confirmation No.: 3990
	)	
Filed: October 3, 2003	)	Customer No.: 23589
	)	
Title: DIETARY SUPPLEMENT	)	Examiner: Davis, Ruth A.
CONTAINING ALKALINE	)	
ELECTROLYTE BUFFERS	)	

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

AMENDMENT AFTER FINAL REJECTION

Sir:

In further response to the Final Rejection of November 17, 2005, it is respectfully requested that this amendment be entered after final rejection, in order to simplify the issues on appeal in this case.

Claims

Please cancel claims 5 and 10.

Remarks

In appellants' Appeal Brief, it was stated that the appeal of claims 5 and 10 was withdrawn. The Examiner, in the Office Action of August 22, 2006, suggested that the claims be formally canceled to avoid confusion regarding the claims on appeal. This response seeks to accomplish the requested cancellation and it is therefore requested that this Amendment be entered after final rejection as being responsive to the Examiner's August 22, 2006, Office Action.

Application No. 10/679,535
Amendment dated September 20, 2006
Reply to Final Rejection of November 17, 2005

The Commissioner is hereby authorized to charge any additional fees associated with this communication or credit any overpayment to Deposit Account No. 19-0522.

Respectfully submitted,

HOVEY WILLIAMS LLP



Date: September 21, 2006

By:

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